

C7 U A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO WORK WITH ITS EXISTING CONSULTANT, MIDATLANTIC SOLID WASTE CONSULTANTS, (A) TO PREPARE A REQUEST FOR PROPOSALS (RFP) FOR A "SINGLE HAULER" TO PROVIDE MULTI-FAMILY AND COMMERCIAL WASTE COLLECTION AND DISPOSAL SERVICES, SUCH RFP TO BE REVIEWED AND APPROVED BY THE MAYOR AND CITY COMMISSION PRIOR TO ISSUANCE AND (B) SIMULTANEOUSLY TO PREPARE AN ANALYSIS ADDRESSING (1) THE FISCAL IMPACT OF TRANSITIONING TO A SINGLE HAULER SYSTEM, (2) THE FEASIBILITY OF A HYBRID SYSTEM, AND (3) THE EFFICACY OF WASTE HAULER SYSTEMS USED IN SIMILARLY UNIQUE COASTAL CITIES.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: December 11, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO WORK WITH ITS EXISTING CONSULTANT, MIDATLANTIC SOLID WASTE CONSULTANTS, (A) TO PREPARE A REQUEST FOR PROPOSALS (RFP) FOR A "SINGLE HAULER" TO PROVIDE MULTI-FAMILY AND COMMERCIAL WASTE COLLECTION AND DISPOSAL SERVICES, SUCH RFP TO BE REVIEWED AND APPROVED BY THE MAYOR AND CITY COMMISSION PRIOR TO ISSUANCE AND (B) SIMULTANEOUSLY TO PREPARE AN ANALYSIS ADDRESSING (1) THE FISCAL IMPACT OF TRANSITIONING TO A SINGLE HAULER SYSTEM, (2) THE FEASIBILITY OF A HYBRID SYSTEM, AND (3) THE EFFICACY OF WASTE HAULER SYSTEMS USED IN SIMILARLY UNIQUE COASTAL CITIES..

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The attached Resolution was prepared at the request of the sponsor, Commissioner Laura Dominguez.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?

No

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

City Attorney

Sponsor(s)

Commissioner Laura Dominguez

Co-sponsor(s)

Condensed Title

Proceed with Single Hauler RFP. (Dominguez) CA

RESOLUTION NO. 2024-_____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO WORK WITH ITS EXISTING CONSULTANT, MIDATLANTIC SOLID WASTE CONSULTANTS, (A) TO PREPARE A REQUEST FOR PROPOSALS (RFP) FOR A “SINGLE HAULER” TO PROVIDE MULTI-FAMILY AND COMMERCIAL WASTE COLLECTION AND DISPOSAL SERVICES, SUCH RFP TO BE REVIEWED AND APPROVED BY THE MAYOR AND CITY COMMISSION PRIOR TO ISSUANCE AND (B) SIMULTANEOUSLY TO PREPARE AN ANALYSIS ADDRESSING (1) THE FISCAL IMPACT OF TRANSITIONING TO A SINGLE HAULER SYSTEM, (2) THE FEASIBILITY OF A HYBRID SYSTEM, AND (3) THE EFFICACY OF WASTE HAULER SYSTEMS USED IN SIMILARLY UNIQUE COASTAL CITIES.

WHEREAS, the City currently has two (2) franchise agreements issued to solid waste contractors for residential and commercial solid waste collection and disposal; and

WHEREAS, the terms of these agreements were scheduled to expire on September 30, 2022, but were extended on a month-to-month basis until new franchise agreements are awarded, as described further below; and

WHEREAS, on or around November 2021, the Public Works Department (“Public Works” or the “Department”) engaged MidAtlantic Solid Waste Consultants (“MSW”) to assist staff in evaluating the current franchise agreement structure and to provide recommendations for an open versus closed, and exclusive versus non-exclusive, franchise waste contractor agreement; and

WHEREAS, at the April 29, 2022, Finance and Economic Resiliency Committee (“FERC” or the “Committee”) meeting, the City Administration presented MSW's findings, which included a recommendation that the City transition to an exclusive franchise system; and

WHEREAS, a motion was made and adopted to expand the analysis and revisit the findings at a future meeting; and

WHEREAS, the Administration continued discussing this matter with FERC members at the Committee's meetings from May 27, 2022 through March 31, 2023; and

WHEREAS, pursuant to Resolution No. 2022-32228, the City Commission approved the Administration's request to extend the non-exclusive commercial waste hauler franchise agreements and service agreements with Waste Management Inc. of Florida (“WMI”), and Waste Connections of Florida, Inc. (“WCI”) on a month-to-month basis, not to extend beyond September 30, 2023; and

WHEREAS, the item was further discussed at several additional FERC and City Commission meetings between July 2022 and July 2023, culminating in a request by the Administration at the September 27, 2023 City Commission meeting for authorization to issue RFQ 2023-506-WG (the “Multi-hauler RFQ”) for the selection of qualified franchise waste haulers to provide multifamily residential and commercial waste collection and disposal services and the adoption by the Commission of Resolution No. 2022-32833 authorizing the issuance of the Multi-hauler RFQ; and

WHEREAS, pursuant to Resolutions 2023-32617 and 2022-32833, the City Commission also authorized the month-to-month extension of the non-exclusive Franchise Waste Contractor Agreements and the Service Agreements with WMI and WCI for the collection of waste and

recyclable materials at City-owned properties and rights of way, all of which were set to expire on September 30, 2023, pending the completion of the Multi-hauler RFQ process; and

WHEREAS, on October 5, 2023, RFQ 2023-506-WG was issued for the selection of franchise waste contractors to provide multi-family residential and commercial waste collection and disposal; and

WHEREAS, responses were due and received on January 5, 2024; and

WHEREAS, at the March 13, 2024 City Commission meeting, the Mayor and City Commission unanimously adopted Resolution No. 2024-32967, sponsored by Commissioner Laura Dominguez, directing the Administration to terminate the Multi-hauler RFQ and to prepare a request for proposals ("Single Hauler RFP") for a "single hauler" to provide multi-family and commercial waste collection and disposal services; and

WHEREAS, Resolution No. 2024-32967 also authorized the City Manager to execute amendments to the existing franchise and service agreements with Waste Management Inc. of Florida and Waste Connections of Florida, Inc. effective as of October 1, 2023, extending the terms of those agreements on a month-to-month basis until the contract awarded through the Single Hauler RFP becomes effective; and

WHEREAS, pursuant to a referral to the Committee by Commissioner Alex Fernandez to discuss the qualitative and quantitative criteria to be used in the selection of a single hauler, at the March 22, 2024 FERC meeting, Public Works presented the Committee with seven (7) recommendations that Public Works indicated must be addressed in connection with the preparation of the Single Hauler RFP; and

WHEREAS, the Committee motioned to recommend that the Administration engage a new consultant to assist with the preparation of the Single Hauler RFP, including financial analysis and comparisons with waste systems in other coastal cities, as well as analyzing the feasibility of a hybrid model; and

WHEREAS, the Administration recommended the following criteria for consideration in the RFP:

1. A long-term agreement (7 to 10 years) with multiple renewal options, to allow the hauler to recoup capital costs while providing competitive pricing.
2. A 40-60% price weighting in the proposal evaluation, with financial stability as a key criterion.
3. Separate pricing structures for multi-family and commercial accounts, including recycling options for both sectors.
4. An increase in Sanitation staffing levels, including a contract administrator and customer service representatives.
5. A financial analysis to ensure that the current 24% franchise fee is incorporated into the new system.
6. A decision on whether the City or the hauler should perform customer billing.
7. Inclusion of a bulk waste services option in the Single Hauler RFP for both multi-family and commercial accounts.

WHEREAS, at its May 15, 2024 meeting, pursuant to Resolution No. 2024-33070, the City Commission approved the FERC's recommendation to engage a new consultant for the development of the Single Hauler RFP, including an analysis of financial impacts and feasibility of a hybrid option and the Commission also directed the Administration to host one or more Zoom

meetings with large residential condominiums to discuss the contemplated Single Hauler RFP; and

WHEREAS, the Administration developed Request for Qualifications (RFQ) 2024-366-WG for solid waste consulting services, and on July 26, 2024, pursuant to Resolution No. 2024-33070, RFQ 2024-336-WG Solid Waste Consulting Services (the "2024 Waste Consultant RFQ") was issued; and

WHEREAS, MSW, the City's existing consultant, was the sole proposer under the 2024 Waste Consultant RFQ; and

WHEREAS, on October 31, 2024, the City Manager rejected all bids pursuant to his authority under Section 2-367(b) of the City Code, as MSW already holds an existing agreement with the City; and

WHEREAS, the City Commission has concluded that it is in the best interest of the City and its residents for the Administration to work with MSW to prepare the Single Hauler RFP; and

WHEREAS, MSW will simultaneously prepare an analysis addressing (1) the fiscal impact of transitioning to a single hauler system, (2) the feasibility of a hybrid system, and (3) the efficacy of waste hauler systems in similarly unique coastal cities.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby direct the City Administration to work with its existing consultant, MidAtlantic Solid Waste Consultants, (A) to prepare a Request for Proposals (RFP) for a "single hauler" to provide multi-family and commercial waste collection and disposal services, such RFP to be reviewed and approved by the Mayor and City Commission prior to issuance and (B) to simultaneously prepare an analysis addressing (1) the fiscal impact of transitioning to a single hauler system, (2) the feasibility of a hybrid system, and (3) the efficacy of waste hauler systems used in similarly unique coastal cities.

PASSED AND ADOPTED this ____ day of _____, 2024.

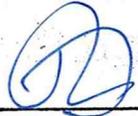
Steven Meiner, Mayor

ATTEST:

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Laura Dominguez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

12/3/2024

Date